

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

DAVID WEEKS-ISRAEL,

Plaintiff,

v.

U.S. ARMY RECRUITING SUFFOLK,

Defendant.

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NO. 3:18-cv-00317

JUDGE CAMPBELL

MAGISTRATE JUDGE BROWN

ORDER

Pending before the Court is the Magistrate Judge’s Report and Recommendation (Doc. No. 29), which was filed on June 13, 2019. Through the Report and Recommendation, the Magistrate Judge recommends that the Government’s Motion to Dismiss (Doc. No. 11) be granted and that this case be dismissed for lack of jurisdiction and failure to state a claim pursuant to Federal Rules of Civil Procedure 12(b)(1) and (6). In response, Plaintiff filed a Motion for Extension to Follow Court Recommendations. (Doc. No. 30).


Under 28 U.S.C. § 636(b)(1) and Local Rule 72.02, a district court reviews *de novo* any portion of a report and recommendation to which a specific objection is made. *United States v. Curtis*, 237 F.3d 598, 603 (6th Cir. 2001). General or conclusory objections are insufficient. *See Zimmerman v. Cason*, 354 F. Appx. 228, 230 (6th Cir. 2009). Thus, “only those specific objections to the magistrate’s report made to the district court will be preserved for appellate review.” *Id.* (quoting *Smith v. Detroit Fed’n of Teachers*, 829 F.2d 1370, 1373 (6th Cir. 1987)). In conducting the review, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C).

If the Court construes Plaintiff's Motion for Extension to Follow Court Recommendations (Doc. No. 30) as objections to the Report and Recommendation, the objections are timely. But even so, Plaintiff's Motion does not lodge specific objections to the Report and Recommendation or otherwise provide a basis to reject or modify the Report and Recommendation.

Having reviewed the Report and Recommendation and fully considered Plaintiff's Response (Doc. No. 30), the Court concludes that Plaintiff's objections are without merit and the Report and Recommendation (Doc. No. 29) should be adopted and approved. Accordingly, the Government's Motion to Dismiss (Doc. No. 11) is **GRANTED**, and this action is **DISMISSED** without prejudice. All other pending motions are denied as moot.

This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

It is so **ORDERED**.



WILLIAM L. CAMPBELL, JR.
UNITED STATES DISTRICT JUDGE